IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4693 OF 2004

Narendra M. Goswami .. Applicant.

V/s.

State of Maharashtra & Anr. .. Respondents.

Shri Ganesh Gole for Applicant.
Shri R.Y. Mirza, APP for Respondent -State.

CORAM : A.M.KHANWILKAR, J.
DATED : 24.11.2004

PC :-

. The only argument canvassed before me is that the order passed by the Magistrate, issuing process is a mechanical one as it clearly overlooks the fact that three different cheques are stated to have been issued on the same date of different cheque numbers i.e. 453431,496252 and 496253. It is not possible to quash the proceedings by invoking this ground, especially in view of legal presumption. The argument that it is improbable that three different cheques of varied numbers have been issued on one date is a matter for trial. That cannot be the basis for quashing the proceedings. Hence, dismissed.

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